



1612  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1600#3  
**RECEIVED**

In Re the Application of:

KIEFER et al.

Serial No.: 09/633,200

Filed: August 7, 2000

Atty. File No.: 4588-1-1-DIV4

For: "NOVEL APOPTOSIS-MODULATING  
PROTEINS, DNA ENCODING THE  
PROTEINS AND METHODS OF USE  
THEREOF"

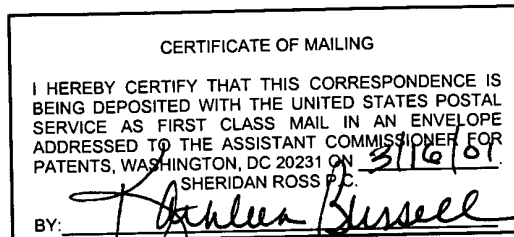
) Group Art Unit:

MAR 21 2001

) Examiner:

TECH CENTER 1600/2900

) INFORMATION DISCLOSURE  
) STATEMENT



Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to Applicants' duty of disclosure under 37 CFR § 1.56 and 37 CFR §§ 1.97-1.98, Applicants hereby submit the enclosed PTO Form 1449. The documents identified with an asterisk were of record in U.S. Patent Application Serial No. 08/320,157, and since the above-identified patent application is a divisional thereof, copies of the identified documents are not being submitted under 37 CFR § 1.98(d). Applicants hereby provide a copy of each of the remaining documents identified on the enclosed PTO Form 1449. Applicants do not admit that any of such documents, alone or in any combination, are considered to be material to patentability as defined in 37 CFR § 1.56(b). Moreover, the inclusion of these documents is not to be construed as an admission by Applicants that each such document is prior art as to the above-identified patent application.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: Angela Dallas-Pedretti  
Angela Dallas-Pedretti  
Registration No. 42,460  
1560 Broadway, Suite 1200  
Denver, CO 80202-5141  
(303) 863-9700

Date: March 16, 2001

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 4588-1-1-DIV4	SERIAL NO. 09/633,200
	APPLICANT KIEFER et al.	
	FILING DATE August 7, 2000	GROUP ART



## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO
*	1	WO 93/04169	3/4/93	PCT				
*	2	WO 94/00572	1/6/94	PCT				
*	3	WO 95/00160	1/5/95	PCT				
*	4	WO 95/00642	1/5/95	PCT				
*	5	WO 95/05738	3/2/95	PCT				
*	6	WO 95/05750	3/2/95	PCT				
*	7	WO 95/15084	6/8/95	PCT				
*	8	WO 96/05232	2/22/96	PCT (Abstract)				
AP	9	WO 96/33416	10/24/96	PCT				
*	10	WO 96/35951	11/14/96	PCT (Abstract)				

## OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

*	11	Ameisen et al., <i>Immunol. Today</i> , 12:102-105 (1991)	✓
*	12	Barr, <i>Transgenesis</i> , (1992) Murray, J.A.H., ed., Wiley & Sons, New York, pp. 55-79	✓
*	13	Boise et al., <i>Cell</i> , 74:597-608 (1993)	✓
OR	14	Bowie et al., <i>Science</i> , 247:1306-1310 (1990)	✓
OR	15	Brown, "News Media, Researchers 'Oversold' Gene Therapy, Advisory Panel Says," <i>The Washington Post</i> (1995)	✓
OR	16	Buckel, <i>Trends Pharm. Sci.</i> , 17:450-456 (1996)	✓
OR	17	Callard et al., <i>The Cytokine FactBook</i> , Academic Press, London, p. 31 (1994)	✓
OR	18	Cazals-Hatem et al., <i>Biochimica et Biophysica Acta</i> , 1132:109-113 (1992)	✓

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 4588-1-1-DIV4	SERIAL NO. 09/633,200
	APPLICANT KIEFER et al.	
	FILING DATE August 7, 2000	GROUP ART

PATENT & TRADEMARK OFFICE		Chen-Levy et al., <i>Mol. Cell. Biol.</i> , 9:701-710 (1989) ✓	RECEIVED MAR 21 2001 TECH CENTER 1600/2900
*	20	Cherif et al., <i>Hum. Genet.</i> , 93:1-6 (1994) ✓	
*	21	Chittenden et al., <i>Nature</i> , 347:733-736 (1995) ✓	
*	22	Chittenden et al., <i>EMBO J.</i> , 14:5589-5596 (1995) ✓	
*	23	Cleary et al., <i>Cell</i> , 47:19-28 (1986) ✓	
OP	24	Coghlan, <i>Focus</i> , 148:14-15 (1995) ✓	
*	25	Cohen et al., <i>Ann. Rev. Immunol.</i> , 10:267-293 (1992) ✓	
OP	26	Dorin et al., <i>Gene Ther.</i> , 3:797-801 (1996) ✓	
*	27	Duke et al., <i>Lymphokine Res.</i> , 5:289-299 (1986) ✓	
OP	28	Dzau et al., <i>Proc. Natl. Acad. Sci. USA</i> , 93:11421-11425 (1996) ✓	
*	29	Edgington et al., <i>Biotechnol.</i> , 11:787-792 (1993) ✓	
*	30	Farrow et al., <i>Nature</i> , 374:731-733 (1995) ✓	
*	31	Feinberg et al., <i>Anal. Biochem.</i> , 137:266-267 (1984) ✓	
*	32	Foroud et al., <i>Am. J. Hum. Genet.</i> , 49:1263-1279 (1991) ✓	
*	33	Gerschenson et al., <i>FASEB J.</i> , 6:2450-2455 (1992) ✓	
OP	34	Grossman et al., <i>Nat. Genet.</i> , 6:323-324 (1994) ✓	
*	35	Henderson et al., <i>Proc. Natl. Acad. Sci. USA</i> , 90:8479-8483 (1993) ✓	
*	36	Hickish et al., <i>Cancer Research</i> , 54:2808-2811 (1994) ✓	
*	37	Hockenbery et al., <i>Nature</i> , 348:334-336 (1990) ✓	
*	38	Hockenberry et al., <i>Cell</i> , 75:241-251 (1993) ✓	
*	39	Jacobson et al., <i>Nature</i> , 361:365-369 (1993) ✓	
*	40	Kanter et al., <i>Biochem. Biophys. Res. Commun.</i> , 118:392-399 (1984) ✓	
*	41	Kapp et al., <i>Am. J. Hum. Genet.</i> , 51:45-54 (1992) ✓	
OP	42	Keating et al., <i>Bone Marrow Purging and Processing</i> , 333:491-498 (1990) ✓	
*	43	Kennedy, <i>Cancer Res.</i> , 54:1999s-2005s (1994) ✓	
*	44	Khati et al., <i>Neurology</i> , 43:1131-1137 (1993) ✓	
*	45	Kiefer et al., <i>Biochem. Biophys. Res. Commun.</i> , 176:219-225 (1991) ✓	
*	46	Kiefer et al., <i>Nature</i> , 374:736-739 (1995) ✓	
*	47	Klein, <i>J. Clin. Apheresis</i> , 9:139-141 (1994) ✓	
*	48	Kruman et al., <i>J. Cell. Physiol.</i> , 148:267-273 (1991) ✓	
*	49	Lam et al., <i>Proc. Natl. Acad. Sci. USA</i> , 91:6569-6573 (1994) ✓	
*	50	Lehrach et al., <i>Biochem.</i> , 16:4743-4751 (1977) ✓	

RECEIVED  
 MAR 21 2001  
 TECH CENTER 1600/1900

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 4588-1-1-DIV4	SERIAL NO. 09/633,200
	APPLICANT KIEFER et al.	
	FILING DATE August 7, 2000	GROUP ART

51	Lewin, <i>Science</i> , 237:1570 (1987)	✓
52	Marshall, <i>Science</i> , 269:1050-1055 (1995)	✓
53	McDonnell et al., <i>Nature</i> , 349:254-256 (1991)	✓
54	McKearn et al., <i>Proc. Natl. Acad. Sci. USA</i> , 82:7414-7418 (1985)	✓
55	Meyn, <i>Cancer Genet.</i> , 53:(Abstract no. 1529) (1993)	
56	Monaghan et al., <i>J. Histochem. Cytochem.</i> , 40:1819-1825 (1992)	✓
57	Ngo et al., The Protein Folding Problem and Tertiary Structure Prediction, Merz et al., eds., Birkhauser, Boston, PP. 491-495 (1994)	✓
58	Norby et al., <i>APMIS</i> , 105:417-437 (1997)	✓
59	Núñez et al., <i>J. Immunol.</i> , 144:3602-3610 (1990)	✓
60	Oltvai et al., <i>Cell</i> , 74:609-619 (1993)	✓
61	Orkin et al., Report and Recommendations of the Panel to Assess the NIH Investment in Research on Gene Therapy (1995)	✓
62	Orr et al., <i>Nature Genetics</i> , 4:221-226 (1993)	✓
63	Pearson et al., <i>Virology</i> , 160:151-161 (1987)	✓
64	Pinkel et al., <i>Proc. Natl. Acad. Sci. USA</i> , 85:9138-9142 (1988)	✓
65	Reeck, <i>Cell</i> , 50:667 (1987)	✓
66	Reed et al., <i>Cancer Res.</i> , 50:6565-6570 (1990)	✓
67	Sanger et al., <i>Proc. Natl. Acad. Sci. USA</i> , 74:5463-5467 (1977)	
68	Sentman et al., <i>Cell</i> , 67:879-888 (1991)	✓
69	Sheppard et al., <i>J. AIDS</i> , 5:143-147 (1992)	✓
70	Strasser et al., <i>Cell</i> , 67:889-899 (1991)	✓
71	Tarodi et al., <i>Virology</i> , 201:404-407 (1994)	✓
72	Thomas, <i>Proc. Natl. Acad. Sci. USA</i> , 77:5201-5205 (1980)	✓
73	Tomei et al., <i>Biochem. Biophys. Res. Commun.</i> , 155:324-331 (1988)	✓
74	Tsujimoto et al., <i>Science</i> , 226:1097-1099 (1984)	✓
75	Veis et al., <i>Cell</i> , 75:229-240 (1993)	✓
76	Viegas-Péquignot, <i>In Situ Hybridization. A Practical Approach</i> , D.G. Wilkinson, ed., IRL Press, Oxford, pp. 137-159	✓
77	Williams et al., <i>Cell</i> , 74:777-779 (1993)	✓
78	Wyllie, <i>Nature</i> , 284:555-556 (1980)	✓
79	Yonehara et al., <i>J. Exp. Med.</i> , 169:1747-1756 (1989)	✓
80	Zapf et al., <i>J. Biol. Chem.</i> , 265:14892-14898 (1990)	✓
81	Zhu et al., <i>Science</i> , 261:209-211 (1993)	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	